

## REMARKS

The Examiner's Action mailed on September 8, 2004, has been received and its contents carefully considered.

In this Amendment, Applicant has editorially amended the specification, and editorially amended independent claim 1. Further, claims 4-10 have been added to the application. Claims 1 and 4 are the independent claims. Claims 1-10 are pending in the application. For at least the following reasons, it is submitted that this application is in condition for allowance.

The Examiner has rejected claims 1-3 as being obvious in view of *Wood* (USP 4,997,196). It is submitted that these claims are *prima facie* patentably distinguishable over the cited reference for at least the following reasons.

Applicant's independent claim 1 is directed to an illuminating decoration for a skateboard which includes, *inter alia*, illuminating tubes, with each illuminating tube including a transparent tube and a plurality of light emitting elements disposed in the transparent tube. This configuration overcomes the problems associated with the prior art arrangements, as discussed in Applicant's Background of the Invention. This claimed arrangement is not disclosed or suggested by the cited reference.

*Wood* discloses a skateboard having a board portion 10 which has a groove 18 formed in an edge thereof. This reference also discloses placing LEDs 20 within the groove 18, and mounting the LEDs 20 in the groove 18 using either glue or a resin. In another embodiment, this reference discloses providing skid boards 26 which can be attached to the bottom of the board 10, to form a groove 30 for placing of the LEDs 32.

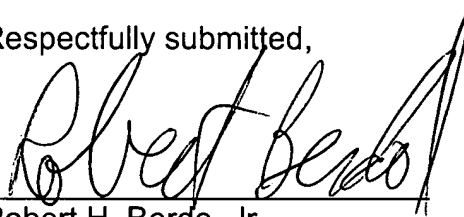
The Examiner's Action contends that *Wood* discloses illuminating tubes that include a transparent tube and a plurality of light emitting elements disposed

in the transparent tube. However, a careful reading of this reference reveals that this reference does not disclose or suggest a transparent tube. As noted above, the cited reference discloses that instead of placing the LEDs within a transparent tube, as recited by Applicant's independent claim 1, that the LEDs 20 are instead placed within a groove 18. Thus, the cited reference is deficient in the teaching of a transparent tube, as recited by both Applicant's independent claim 1 and newly added independent claim 4. Therefore, it is submitted that these independent claims are *prima facie* patentably distinguishable over the cited reference. It is thus requested that the Examiner's rejections be withdrawn and that these claims be allowed.

It is submitted that this application is in condition for allowance. Such action and the passing of this case to issue are requested.

Should the Examiner feel that a conference would help to expedite the prosecution of this application, the Examiner is hereby invited to contact the undersigned counsel to arrange for such an interview.

Respectfully submitted,



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Date

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